

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MOHAMMED PROCTOR,

Docket No. 10 CV 05981 (SJF)(AKT)

Plaintiff,

ECF Case

-against-

PLAINTIFF'S PROPOSED
VOIR DIRE QUESTIONS

TOWN OF SOUTHAMPTON, VINCENT CAGNO,
SERGEANT KIERNAN and ERIC SICKLES,

Defendants.

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PLAINTIFFS' PROPOSED EXPLANATION OF CLAIM

Plaintiff claims this is an action for false arrest, false imprisonment, malicious prosecution, excessive force, and illegal search and seizure of his person. The plaintiff was arrested on April 21, 2010 by members of the Southampton Police Department. He was continuously confined to jail/prison from April 21, 2010 until May 25, 2012. On May 25, 2012 his arrest was nullified, all the charges dismissed and he was freed from incarceration by Order of the Supreme Court, Suffolk County pursuant to New York State Criminal Procedure Law §160.50.

The plaintiff was wrongfully arrested and incarcerated. His damages include loss of freedom for a period of two years and one month and psychological injuries.

PROPOSED VOIR DIRE QUESTIONS?

1. Are you or any of your family or close friends employed by a police department or law enforcement agency?
2. Do you know any of the participants in this trial, or any of the proposed witnesses?
3. Have you or any of your family or close friends been falsely arrested by the police? Did you bring a civil lawsuit?
4. Will you be swayed one way or the other if one side has more witnesses than the other side?
5. Have you or any of your family or close friends ever brought a claim or lawsuit against anyone? What was the nature of the action?

6. Will the fact that the plaintiff has been previously convicted of a crime, cause you to pre-judge him in this particular matter?
7. Are you able to follow the law as given by the Court, even if you personally disagree with the law?
8. Does the fact that plaintiff might have been involved in drugs create a problem for you to sit as a fair and impartial juror in this matter?
9. Have you read anything about this case in the newspapers?
10. Do you believe that police officers are obligated to follow the law?
11. Have you ever been the subject to a search of your premises? A search of your person? Did the police have a warrant for the search?
12. Have you ever been involved in a criminal case?
13. Will you promise to follow the law as the Court instructs you, regardless of whether you agree or disagree with the law?
14. Do you have any preconceived opinions concerning people who bring lawsuits?
15. Do you have any preconceived opinions concerning people who are involved in criminal cases?
16. If the plaintiff sustains his burden of proof will you be able to render a money award for the plaintiff?
17. Is there anything about this case which would prevent you from sitting as a fair and impartial juror in this case?

Dated: New York, NY

April 15, 2013

Respectfully submitted,

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